2007 SENATE BILL 14

1   AN ACT *to amend* 66.0627 (1); and *to create* 20.566 (2) (b) and 70.57 (4) of the

2   statutes; **relating to:** providing loans to persons who are paying more property

3   taxes as a result of the Department of Revenue's error in calculating equalized

4   value and making an appropriation.

Analysis by the Legislative Reference Bureau

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5   **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert

6   the following amounts for the purposes indicated:

					2005–06	2006–07
8	**20.566**	**Revenue, Department of**				
9	(2)	STATE AND LOCAL FINANCE				
10	(b)	Valuation error loans	GPR	A	–0–	600,000

1   **SECTION 2.** 20.566 (2) (b) of the statutes is created to read:

2   20.566 (2) (b) *Valuation error loans.* The amounts in the schedule to make the

3   payments under s. 70.57 (4) (a).

4   **SECTION 3.** 66.0627 (1) of the statutes is amended to read:

5   66.0627 **(1)** In this section, "service" includes snow and ice removal, weed

6   elimination, street sprinkling, oiling and tarring, repair of sidewalks or curb and

7   gutter, garbage and refuse disposal, recycling, storm water management, including

8   construction of storm water management facilities, tree care, removal and

9   disposition of dead animals under s. 60.23 (20), loan repayment under s. 70.57 (4) (b),

10   soil conservation work under s. 92.115, and snow removal under s. 86.105.

11   **SECTION 4.** 70.57 (4) of the statutes is created to read:

12   70.57 **(4)** (a) From the appropriation under s. 20.566 (2) (b), the department

13   shall provide payments to any taxation district that certifies to the department, in

14   the manner prescribed by the department, that the most recent valuation of the

15   taxation district's property under this section is greater than it should be because of

16   a clerical, arithmetic, transpositional, or similar error made by the department, as

17   confirmed by the department, and that the amount of the overvaluation represents

18   10 percent or more of the taxation district's valuation under this section in the year

19   prior to the year in which the error occurred.

20   (b) A taxation district receiving payments under par. (a) shall use the payments

21   to make loans to persons who own property located in the taxation district and who

22   are paying more property taxes than they should be as a result of the error. A person

23   may receive a loan by applying, in the manner prescribed by the department, to the

24   taxation district in which the person's property is located no later than June 15 of the

25   year following the error. The state shall collect the amount of any loan issued under

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1   this paragraph as a state special charge against the taxation district for the year

2   after the year in which the error occurred and the special charge shall not be included

3   in the taxation district's levy. The taxation district shall assess the loan amount as

4   a special charge against the property for which the loan was made on the property

5   tax bill succeeding the loan, as provided under ch. 74 and s. 66.0627 (1). Except for

6   interest and penalties, as provided under s. 74.47, that apply to any delinquent

7   special charge based on the loan amount, neither the department nor the taxation

8   district may charge interest on any loan issued under this paragraph. The maximum

9   loan amount that a person may receive under this paragraph shall be calculated by

10   multiplying the assessed value of the person's property by a decimal determined by

11   the department as follows:

12   1. For the year in which the error occurred, apportion county, school district,

13   technical college district, and metropolitan sewerage district property taxes, and

14   state forestation taxes under s. 70.58, to the taxation district using the taxation

15   district's erroneous valuation.

16   2. For the year in which the error occurred, apportion county, school district,

17   technical college district, and metropolitan sewerage district property taxes, and

18   state forestation taxes under s. 70.58, to the taxation district using the taxation

19   district's correct valuation.

20   3. Subtract the amount determined under subd. 2. from the amount

21   determined under subd. 1.

22   4. Divide the amount determined under subd. 3. by the taxation district's

23   assessed value for the year in which the error occurred and express the result as a

24   decimal.

1   (c) The department shall make the payments under par. (a) monthly, based on

2   the amounts requested in loan applications to the taxation district each month,

3   except that the department shall make no payments to a taxation district after June

4   30 of the year following the year in which the error occurred.

5   **(END)**